

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 2002-703

November 26, 2002

BREWER WATER DISTRICT
Application for Approval of
Issues of Securities (§902)
(\$1,640,000 Revenue Bonds)

ORDER APPROVING
ISSUES OF SECURITIES

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On November 13, 2002, the Brewer Water District (the District) filed with the Commission its application for authority to issue bonds in a sum not to exceed \$1,640,000 through Moors & Cabot, Inc., at an annual rate not to exceed 5.5 percent.¹ The debt will be paid over a term not to exceed 30 years. In this Order, we approve the District's application.

The District requires these funds for the purpose of refinancing expenses related to replacing or installing new lines on nine streets within Brewer. The average age of the replaced lines was over 100 years. The District replaced more than 22,100 feet of line. The project included actual construction costs, engineering and professional services, legal services and construction bond costs.

Having reviewed the application of the District, together with data filed in support of it, it is the opinion of the Commission that the proceeds of the issuance of the note are required in good faith for the purposes enumerated in 35-A M.R.S.A. § 901. In approving this securities issue, consistent with normal practice and pursuant to 35-A M.R.S.A. § 902 (4), the Commission does not imply approval of the District's capital needs or capitalization ratio for ratemaking purposes, nor does this Order limit or restrict the powers of the Commission in determining or fixing any rate.

Accordingly, we

ORDER

1. That the Brewer Water District is hereby authorized to sell its bond in a sum not to exceed \$1,640,000 to be used solely for the purposes described in this Order, and

¹ According to the District's cover letter, the application relates to a loan between the Brewer Water District and the City of Brewer (City). The City is issuing its General Obligation Bonds, a portion of which will be used to capitalize the City's loan to the Brewer Water District. The end result of the transaction will be the same – the District will be responsible for repayment at the terms indicated above.

at a rate not to exceed 5.5 percent per year through Moors & Cabot, Inc. for a term not to exceed 30 years.

2. That the District report to this Commission, in writing, its actions pursuant to this Order within (60) days of the date of the sale of the proposed bonds, or by May 23, 2003, whichever may come first.
3. That the Administrative Director is hereby directed to mail an attested copy of this Order to interested parties and to close this Docket.

Dated at Augusta, Maine, this 26th day of November, 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.